

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the ____ day of ____, 2006:

Present

Vote

Walter C. Zaremba, Chairman
Kenneth L. Bowman, Vice Chairman
Sheila S. Noll
James S. Burgett
Thomas G. Shepperd, Jr.

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE INCREASES IN SIGN AREA AND HEIGHT FOR THE PROPOSED 'MARQUIS' RETAIL CENTER TO BE LOCATED ON PROPERTY AT 165 AND 175 WATER COUNTRY PARKWAY

WHEREAS, Premier Properties USA, Inc., has submitted Application No. UP-700-06 to request a Special Use Permit, pursuant to Section 24.1-712 of the York County Zoning Ordinance, to authorize increases in sign area and height for the proposed 'Marquis' retail center to be located on property at 165 Water Country Parkway (Route 640) and a portion of 175 Water Country Parkway, and further identified as Assessor's Parcel Nos. 11-91 (GPIN No. H13b-3795-3227) and a portion of 11-4-3 (GPIN No. I13c-0012-1173); and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application and has recommended denial of the increased signage allowances; and

WHEREAS, the Board of Supervisors has given careful consideration to the public comments and the Planning Commission and staff recommendations with respect to this application and has determined that modest increases in area and height are warranted;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the ____ day of _____, 2006, that Application No. UP-700-06 be, and it is hereby, approved to authorize a Special Use Permit, pursuant to Section 24.1-712 of the York County Zoning Ordinance, allowing increases in sign area and height for the proposed 'Marquis' retail center to be located on property at 165 Water Country Parkway (Route 640) and a portion of 175 Water Country Parkway, and further identified as Assessor's Parcel Nos. 11-91 (GPIN No. H13b-3795-3227) and a portion of 11-4-3 (GPIN No. I13c-0012-1173) subject to the following conditions:

1. This use permit shall authorize increases in sign area and height as follows:
 - a) For the proposed freestanding sign located at the Route 199 entrance: Maximum area – 300 square feet; Maximum height – 25 feet.
 - b) For the Target and JC Penney wall signs: Maximum area for JC Penney's signage shall not exceed the 502 square feet of cumulative wall sign area. Maximum cumulative wall sign area for Target shall not exceed 516 square feet.

The design of such signs shall be subject to review and approval by the Marquis Design Review Committee established in conjunction with the original approval of the "Marquis" development (reference Resolution No. R05-201(R)).

2. This use permit shall be applicable only to the above-noted signs. All other signage for the subject property shall be in conformance with Condition No. 4 of Resolution No. R05-201(R) as adopted by the Board of Supervisors on December 20, 2005 and filed with the Clerk of Circuit Court on March 9, 2006 (Instrument No. 060005400).
3. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the Resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to application for site plan approval or issuance of a Certificate of Occupancy, whichever occurs first.

BE IT FURTHER RESOLVED that this Special Use Permit is not severable and invalidation of any word, phrase, clause, sentence, or paragraph shall not invalidate the remainder.